

**AMENDMENTS TO THE CLAIMS:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**LISTING OF CLAIMS:**

1. (Currently Amended) An automotive seat assembly comprising;  
a seat cushion,  
a seat back having top and bottom portions,  
a seat frame for supporting said seat cushion and said seat back,  
a head restraint mounted to said seat frame by posts and capable of being moved between  
a deployed position and a retracted position, each of said posts has a plurality of notches, said  
head restraint comprising:

a control mechanism disposed within said head restraint for moving the head restraint  
between the deployed position and the retracted position, said control mechanism comprising a  
housing, a shaft pivotally mounted on said housing, said shaft being positioned ~~and configured~~ to  
engage said notches of each of said posts preventing movement of said head restraint and ~~upon~~  
~~rotation of said shaft~~, said shaft becomes spaced from said posts upon rotation thereof to  
disengage said notches enabling movement of said head restraint, and

a biasing device disposed between said posts and said housing for continuously biasing  
said head restraint towards the deployed position.

2.-11. (Cancelled)

12. (Previously Presented) The assembly according to claim 1, wherein said shaft is  
biased to engage said posts.

13. (Previously Presented) The assembly according to claim 12, wherein said shaft has a  
generally circular cross section with a flat surface.